for Mining; 215, Lead and Zinc Mining Operations and Leases, Quapaw Agency.

SOURCE: 53 FR 25953, July 8, 1988, unless otherwise noted.

§ 179.1 Purpose, scope, and information collection.

- (a) These regulations set forth the authorities, policy and procedures governing the administration of life estates and future interests in Indian lands by the Secretary of the Interior. These regulations do not apply to any use rights assigned by tribes, in the exercise of their jurisdiction over tribal lands, to tribal members.
- (b) These regulations do not contain information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

§ 179.2 Definitions.

Agency means an Indian Agency or other field unit of the Bureau of Indian Affairs having the Indian land under its immediate jurisdiction.

Contract Bonus means cash consideration paid or agreed to be paid as incentive for execution of the contract.

Income means the rents and profits of real property and the interest on invested principal.

Indian Land means all lands held in trust by the United States for individual Indians or tribes; or all lands, titles to which are held by individual Indians or tribes, subject to Federal restrictions against alienation or encumbrance.

Principal means the corpus and capital of an estate, including any payment received for the sale or diminishment of the corpus, as opposed to the income.

Secretary means the Secretary of the Interior or authorized representative.

Superintendent means the designated officer in charge of an Agency.

§179.3 Application of State law.

In the absence of Federal law or Federally-approved tribal law to the contrary, the rules of life estates and future interests in the State in which the land is located shall be applied on Indian land. State procedural laws concerning the appointment and duties of private trustees shall not apply.

§ 179.4 Distribution of principal and income.

In all cases where the document creating the life estate does not specify a distribution of proceeds; or where the vested remainderman and life tenant have not entered into a written agreement approved by the Secretary providing for the distribution of proceeds; or where, by such document or agreement or by the application of State law, the open mine doctrine does not apply; the Secretary shall:

- (a) Distribute all rents and profits, as income, to the life tenant.
- (b) Distribute any contract bonus one-half each to the life tenant and the remainderman.
- (c) In the case of mineral contracts, invest the principal, with interest income to be paid the life tenant during the life estate, except in those instances where the administrative cost of investment is disproportionately high, in which case §179.4(d) shall apply. The principal will be distributed to the remainderman upon termination of the life estate.
- (d) In all other instances, distribute the principal immediately according to the formulas set forth in §179.5, investing all proceeds attributable to any contingent remainderman in an account, with disbursement to take place upon determination of the contingent remainderman.

§ 179.5 Value of life estates and remainders.

- (a) The value of a life estate shall be determined by the formula: Value of Life Estate = $P \times L$, where P =Value of principal, and L =Life estate factor for the age and sex of the life tenant, as shown in Column 2 on tables A(1) and A(2).
- (b) The value of a remainder shall be determined by the formula: Value of Remainder = $P \times R$, where P =Value of principal, and R =Remainder factor for the age and sex of the life tenant, as shown in Column 3 on tables A(1) and A(2).

§ 179.5

TABLE A(1)—SINGLE LIFE MALE, 6 PERCENT, SHOWING THE PRESENT WORTH OF A LIFE ESTATE INTEREST, AND OF A REMAINDER INTEREST.

TABLE A(1)—SINGLE LIFE MALE, 6 PERCENT, SHOWING THE PRESENT WORTH OF A LIFE ESTATE INTEREST, AND OF A REMAINDER INTEREST—Continued

TEREST		
(1)—Age	(2)—Life estate	(3)—Re- mainder
0	0.9305	0.06295
1	.96217	.03783
2	.96170	.03830
3	.96053	.03947
4	.95905	.04095
5	.95732	.04268
6	.95540	.04460
7	.95331	.04669
8	.95195	.04895
9	.94861	.05139
10	.94598	.05402
11	.94316	.05684
12	.94019	.05981
13	.93708	.06292
14	.93391	.06609
15	.93069	.06931
16	.92746	.07254
17	.92419	.07581
18	.92089	.07911
19	.91751	.08249
20	.91403	.08597
21	.91046	.08954
22	.90678	.09328
23	.90292	.09702
24	.89884	.10116
25	.89445	.10555
26	.88972	.11028
27	.88465	.11535
28	.87925	.11333
29	.87353	.12647
30	.86750	.13250
31	.86117	.13883
32	.85451	.14549
33	.84752	.15248
34	.84020	.15980
35	.83255	.16745
36	.82455	.17545
37	.81622	.18378
38	.80755	.19245
39	.79854	.20146
40	.78923	.21077
41	.77960	.22040
42	.76967	.23033
43	.75944	.24056
44	.74891	.25109
45	.73808	.26192
46	.72695	.27305
47	.71552	.28448
48	.70385	.29615
49	.69198	.30802
F0	67007	20000
50	.67997	.32003
51	.66785	.33215
52	.65560	.34440
53	.64320	.35680
54	.63060	.36940
55	.61776	.38224
56	.60466	.39534
57	.59131	.40869
58	.57778	.42222
59	.56417	.43583
60	.55052	.44948
61	.53687	.46313
* · ····		

62 52321 .47679 63 50954 49046 64 .49585 50415 65 .48212 51788 66 .46836 53164 67 .45458 .54542 68 .44077 .55923 69 .42689 .57311 70 .41294 .58706 71 .39889 .60111 72 .38474 .61526 73 .37051 .62949 74 .35624 .64376 75 .34194 .65806 76 .32761 .67239 77 .31327 .68673 79 .28481 .71519 80 .27098 .72902 81 .25773 .74227 82 .24527 .75473 84 .22217 .77783 85 .21070 .78930 86 .19955 .80045 87 .18870 </th <th>(1)—Age</th> <th>(2)—Life estate</th> <th>(3)—Re- mainder</th>	(1)—Age	(2)—Life estate	(3)—Re- mainder
64 49585 50415 65 48212 51788 66 46836 53164 67 45458 54542 68 44077 55923 69 42689 57311 70 41294 58706 71 39889 60111 72 38474 61526 73 37051 62949 74 35624 64376 75 34194 65806 75 34194 65806 75 31327 68673 76 32761 67239 78 29895 70105 79 28481 71519 80 27098 72902 81 25773 74227 82 24527 75473 83 23354 76646 84 22217 77830 85 21070 78930 86 19955 8045 <	62	.52321	.47679
65 48212 51788 66 46836 53164 67 45458 54542 68 44077 55923 69 42689 57311 70 41294 58706 71 39889 60111 72 38474 61526 73 37051 62949 74 35624 64376 75 34194 65806 76 32761 67239 77 31327 68673 79 28481 71519 80 27098 72902 81 25773 74227 82 24527 775473 82 24527 775473 83 23354 76646 84 22217 77783 85 21070 78930 86 19955 80045 87 18870 81130 88 115097 8493	63	.50954	.49046
66 46836 53164 67 45458 54542 68 44077 55923 69 42689 57311 70 41294 58706 71 39889 60111 72 38474 61526 73 37051 62949 74 35624 64376 75 34194 65806 76 32761 67239 77 31327 68673 79 28481 71519 80 27098 72902 81 25773 74227 82 24527 75473 84 22217 77783 84 22217 778930 86 19955 80045 87 18870 81130 90 15922 84078 91 15097 84903 92 11308 86319 95 1253 87465	64	.49585	.50415
66 46836 53164 67 45458 54542 68 44077 55923 69 42689 57311 70 41294 58706 71 39889 60111 72 38474 61526 73 37051 62949 74 35624 64376 75 34194 65806 76 32761 67239 77 31327 68673 79 28481 71519 80 27098 72902 81 25773 74227 82 24527 75473 84 22217 77783 84 22217 778930 86 19955 80045 87 18870 81130 90 15922 84078 91 15097 84903 92 11308 86319 95 1253 87465	65	.48212	.51788
67 45458 54542 68 44077 55923 69 42689 57311 70 41294 58706 71 39889 60111 72 38474 61526 73 37051 62949 74 35624 64376 75 34194 65806 77 31327 6867 77 31327 6867 79 28481 71519 80 27098 72902 81 2577 74227 82 24527 75473 83 23354 76646 84 22217 77783 85 21070 78930 86 19955 80045 87 18870 81130 90 15922 84078 91 15097 84903 92 14350 85650 93 13681 86319 <tr< th=""><th></th><th></th><th></th></tr<>			
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69 .42689 .57311 70 .41294 .58706 71 .39889 .60111 72 .38474 .61526 73 .37051 .6294 74 .35624 .64376 75 .34194 .65806 76 .32761 .67239 77 .31327 .68673 78 .29895 .70105 79 .28481 .71519 80 .27098 .72902 81 .25773 .74227 82 .24527 .75473 84 .22217 .77783 84 .22217 .778930 86 .19955 .80045 87 .18870 .81130 90 .15922 .84078 91 .15097 .84903 92 .14350 .85650 93 .13681 .86319 94 .13081 .86919 95 .1	-		
70 41294 .58706 71 39889 .60111 72 38474 .61526 73 37051 .62949 74 35624 .64376 75 34194 .65806 76 32761 .67239 77 31327 .68637 78 .29895 .70105 79 .28481 .71519 80 .27098 .72902 81 .25773 .74227 82 .24527 .75473 83 .23354 .76646 84 .22217 .77783 85 .21070 .78930 86 .19955 .80045 87 .18870 .81130 90 .15922 .84078 91 .15097 .84903 92 .14350 .85650 93 .13681 .86319 94 .13081 .86919 95 .12535 <th></th> <th></th> <th></th>			
71 .39889 .60111 72 .38474 .61526 73 .37051 .62949 74 .35624 .64376 75 .34194 .65806 76 .32761 .67239 77 .31327 .68673 78 .29895 .70105 79 .28481 .71519 80 .27098 .72902 81 .25773 .74227 82 .24527 .75473 83 .23354 .76646 84 .22217 .77783 85 .21070 .78930 86 .19955 .80045 87 .18870 .81130 90 .15922 .84078 91 .15097 .84903 92 .14350 .85650 93 .13681 .86319 94 .13081 .86919 95 .12535 .87465 96 .1	00	.42000	.07011
72 38474 61526 73 37051 62949 74 35624 64376 75 34194 65806 76 32761 67239 77 31327 68673 78 29895 70105 79 28481 71519 80 27098 72902 81 25773 74227 82 24527 75473 83 23354 76646 84 22217 77783 85 21070 78930 86 19955 80045 87 18870 81130 88 17822 8178 89 16631 83169 90 15922 84078 91 15097 84903 92 14350 8565 93 13681 86319 94 13081 86819 95 12535 87465 <t< th=""><th></th><th></th><th></th></t<>			
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80 27098 72902 81 25773 74227 82 24527 75473 83 23354 76646 84 22217 77783 85 21070 78930 86 19955 80045 87 18870 81130 88 17822 82178 89 16831 83169 90 15922 84078 91 15097 84903 92 14350 85650 93 13681 86319 94 13081 86919 95 12535 87465 96 11998 88002 97 11487 88513 99 10532 89468 100 10087 89913 101 0.09661 90339 102 0.09250 90750 103 0.0846 91154 104 0.8439 91561			
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82 .24527 .75473 83 .23354 .76646 84 .22217 .77830 85 .21070 .78930 86 .19955 .80045 87 .18870 .81130 88 .17822 .82178 89 .16831 .83169 90 .15922 .84078 91 .15097 .84903 92 .14350 .85650 93 .13681 .86319 94 .13081 .86919 95 .12535 .87465 96 .11998 .88002 97 .11487 .88513 98 .10999 .89018 100 .10532 .89468 101 .09661 .90339 102 .09250 .90750 103 .08466 .91154 104 .08439 .91561 105 .08000 .92000 106	80	.27098	.72902
82 24527 75473 83 23354 76646 84 22217 77783 85 21070 78930 86 19955 80045 87 18870 81130 88 17822 82178 89 16831 83169 90 15922 84078 91 15097 84903 92 14350 85650 93 13681 86319 94 13081 86919 95 12535 87465 96 11998 88002 97 11487 88513 99 10532 89468 100 10732 89468 100 10087 89913 101 09661 90339 102 09250 90750 103 08464 91154 104 08439 91561 105 08000 92000 <th>81</th> <th>.25773</th> <th>.74227</th>	81	.25773	.74227
84	82		.75473
84	83	.23354	.76646
85 21070 78930 86 19955 80045 87 18870 81130 88 17822 82178 89 16831 83169 90 15922 84078 91 15097 84903 92 14350 85650 93 13681 86319 95 12535 87465 96 11198 88002 97 11487 88513 98 10999 89001 100 10087 89913 101 0.09661 90339 102 0.09250 90750 103 0.0846 91154 104 0.8439 91561 105 0.0000 92000 106 0.07471 92529 107 0.6718 93282 108 0.05426 94574			
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92 14350 .85650 93 13681 .86319 94 13081 .86919 95 12535 .87465 96 11998 .88002 97 11487 .88513 98 10999 .89001 99 10532 .89468 100 10087 .89913 101 .09661 .90339 102 .09250 .90750 103 .08846 .91154 104 .08439 .91561 105 .08000 .92000 106 .07471 .92529 107 .06718 .93282 108 .05426 .94574			
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94 13081 86919 95 12535 87465 96 11998 88002 97 11487 88513 98 10999 89001 100 10087 89913 101 09661 90339 102 09250 90750 103 08846 91154 104 08439 91561 105 08000 92000 106 07471 92529 107 06718 93282 108 05426 94574			
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98 10999 .89001 99 10532 .89468 100 10087 .89913 101 .09661 .90339 102 .09250 .90750 103 .08846 .91154 104 .08439 .91561 105 .08000 .92000 106 .07471 .92529 107 .06718 .93282 108 .05426 .94574			
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100 10087 .89913 101 .09661 .90339 102 .09250 .90750 103 .08846 .91154 104 .08439 .91561 105 .08000 .92000 106 .07471 .92529 107 .06718 .93282 108 .05426 .94574			
101 .09661 .90339 102 .09250 .90750 103 .08846 .91154 104 .08439 .91561 105 .08000 .92000 106 .07471 .92529 107 .06718 .93282 108 .05426 .94574	99	.10532	.89468
101 .09661 .90339 102 .09250 .90750 103 .08846 .91154 104 .08439 .91561 105 .08000 .92000 106 .07471 .92529 107 .06718 .93282 108 .05426 .94574	100	.10087	.89913
102 .09250 .90750 103 .08846 .91154 104 .08439 .91561 105 .08000 .92000 106 .07471 .92529 107 .06718 .93282 108 .05426 .94574			
103 08846 91154 104 08439 91561 105 08000 92000 106 07471 92529 107 06718 93282 108 05426 94574			
104 .08439 .91561 105 .08000 .92000 106 .07471 .92529 107 .06718 .93282 108 .05426 .94574			
105 .08000 .92000 106 .07471 .92529 107 .06718 .93282 108 .05426 .94574			
106 .07471 .92529 107 .06718 .93282 108 .05426 .94574			
107 .06718 .93282 108 .05426 .94574			
108			
			.94574
10902830 .97170	109	.02830	.9/1/0

TABLE A(2)—SINGLE LIFE FEMALE, 6 PERCENT, SHOWING THE PRESENT WORTH OF A LIFE ESTATE INTEREST, AND OF A REMAINDER INTEREST

(1)—Age	(2)—Life estate	(3)—Re- mainder
0	0.95383	0.04617
1	.97370	.02630
2	.97372	.02628
3	.97308	.02692
4	97217	02783

Bureau of Indian Affairs, Interior

TABLE A(2)—SINGLE LIFE FEMALE, 6 PERCENT, SHOWING THE PRESENT WORTH OF A LIFE ESTATE INTEREST, AND OF A REMAINDER INTEREST—Continued

TABLE A(2)—SINGLE LIFE FEMALE, 6 PERCENT, SHOWING THE PRESENT WORTH OF A LIFE ESTATE INTEREST, AND OF A REMAINDER INTEREST—Continued

TEREST—Continued		
(1)—Age	(2)—Life estate	(3)—Re- mainder
5	.97110	.02890
6	.96989	.03011
7	.96853	.03147
8	.96703	.03297
9	.96541	.03459
10	.96365	.03635
11	.96176	.03824
13	.95975 .95764	.04025 .04236
14	.95543	.04236
15	.95314	.04686
16	.95076	.04924
17	.94829	.05171
18	.94572	.05428
19	.94303	.05697
20	.94021	.05979
21	.93724	.06276
22	.93412	.06588
23	.93085	.06915
24 25	.92739	.07261
25 26	.92375 .91993	.07625 .08007
27	.91591	.08409
28	.91168	.08832
29	.90725	.09275
30	.90259	.09741
31	.89773	.10227
32	.89265	.10735
33	.88733	.11267
34	.88176	.11824
35	.87593	.12407
36	.86985	.13015
37	.86349	.13651
38	.85687	.14313
39 40	.84998 .84281	.15002 .15719
41	.83536	.16464
42	.82764	.17236
43	.81962	.18038
44	.81131	.18869
45	.80269	.19731
46	.79374	.20626
47	.78448	.21552
48	.77488	.22512
49	.76498	.23502
50	.75476	.24524
51	.74423	.25577
52	.73339	.26661
53	.72220	.27780
54	.71062	.28938
55	.69859	.30141
56	.68612	.31388
57	.67320	.32680
58 59	.65988 .64622	.34012 .35378
60	.63226	.36774
	.00220	.50774
61	.61803	.38197
62	.60352	.39648
63	.58871	.41129
64	.57355	.42645
65	.55803	.44197
66	.54211	.45789

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(1)—Age	(2)—Life estate	(3)—Re- mainder
67	.52583	.47417
68	.50924	.49076
69	.49241	.50759
70	.47540	.52460
71	.45823	.54177
72	.44088	.55912
73	.42341	.57659
74	.40587	.59413
75	.38833	.61167
76	.37073	.62927
77	.35307	.64693
78	.33546	.66454
79	.31811	.68189
80	.30117	.69883
81	.28489	.71511
82	.26935	.73065
83	.25439	.74561
84	.23956	.76044
85	.22441	.77559
86	.21010	.78990
87	.19674	.80326
88	.18431	.81569
89	.17285	.82715
90	.16241	.83759
91	.15301	.84699
92	.14470	.85530
93	.13741	.86259
94	.13103	.86897
95	.12535	.87465
96	.11998	.88002
97	.11487	.88513
98	.10999	.89001
99	.10532	.89468
100	.10087	.89913
101	.09661	.90339
102	.09250	.90750
103	.08846	.91154
104	.08439	.91561
105	.08000	.92000
106	.07471	.92529
107	.06718	.93282
108	.05426	.94574
109	.02830	.97170

§ 179.6 Notice of termination of life estate.

Upon receipt of a renunciation of interest or notice of death of an Indian or non-Indian who died possessed of a life estate in Indian land, the Superintendent having jurisdiction shall file a copy of the renunciation or death certificate or other evidence of death with the appropriate Bureau of Indian Affairs' Land Titles and Records Office for recording.